



IFW
3724

B. Gopinath, Flat 301, Saralaramam Apts, 16-11-310-8, Salimnagar, Hyderabad-500036.

PH : 91-40-24553602.

India.

Date : August 16, 2004.

Application no.	Filing date	Inventor
10 / 042,433	Jan10th 2002	Gopinath.B.

To,
The Commissioner for Patents,
USPTO.

Examiner : Kenneth E. Peterson.

Dear Sir,

Request for clarification on a new application for matter disclosed in present application.

I have decided to decide to delete two embodiments from the present application mentioned above, titled "Multi knife cutting device ". Out of these two, I want to make a new application for the embodiment – Multi knife cutting device, Rotary action (embodiment 1 in the present application).

There are two alternatives for this.

Under 37 CFR 1.53 (b), a continuing application can be filed before the present patent is finalized , to retain the present filing date.

I am not keen on applying while the current application is pending. I want to apply after the present application is decided, but do not like to lose my right to the disclosure .

I request you to inform me by mail how to go about this.

Yours sincerely,

B. Gopinath.

B.Gopinath , Flat 301, Saralaramam Apts, 16-11-310-8, Salimnagar, Hyderabad-500036.
PH : 91-40-24553602. **India.**

Application no.	Filing date	Inventor
10 / 042,433	Jan,10 , 2002	B.Gopinath

Date : 16, August , 2004.

To,
The Commissioner for patents, USPTO.

EXAMINER: Kenneth E. Peterson.

Dear Sir,

This reply is in response to your office action letter dated 29, July, 2004.

Correlation between embodiments / species and claims.

Claim 11 - Generic claim for three embodiments described in the specification as received by you on May 17, 2004.

Claim 12- Multi knife cutting device , Rotary action- Embodiment 1, page 4,5 of specification.

Claim 13- Multi knife cutting device, Independent knife movement, Embodiment 2, Page 5,6.

Claim 14- Multi knife cutting device, Inclined cutting action, Embodiment 3, Page 7,8.

As of now there are only three embodiments in the specification as detailed above against the claims. All others were deleted.

Requirement for restriction, election of single species.

In response to this requirement, I am electing the embodiment titled " Multi knife cutting device, Inclined cutting action " described in page numbers 7,8 of the amended specification , with figure numbers 7 and 8. I am amending the claims of this embodiment to improve clarity as it is mentioned in your letter that it is not clear which species are being claimed. I will clarify which are the claims readable on the elected species.

Requirement of evidence that the species are not patentably distinct, likely rejection under 35 USC 103 (a).

I do not want to subject the invention to this risk as the possibilities of finding a prior art to one of the two non elected species cannot be ruled out. Also there can be conflicting views on whether a cited prior art is actually a prior art having all the features of the species under examination.

In view of this I have decided to delete from this application the two non elected species mentioned below. I will submit a separate application for them at a later date.

Embodiment 1- Multi knife cutting device, Rotary action,

Embodiment 2- Multi knife cutting device, Independent knife movement.

This will leave only embodiment 3, Multi knife cutting device, Inclined cutting action for examination as the elected species/ embodiment.

In view of the deletion of the two embodiments, I am changing the numbering of the embodiments and making changes in the text which become necessary following the deletion. All these are marked as per guidelines.

Amendments

- I am adding further evidence regarding the novel features of the elected embodiment no.3, to increase the eligibility for getting a patent. I have ensured that there is no new matter while doing this. I have only stated the obvious details. This is included in the description of the embodiment in the specification.
- I am enclosing a clean version of the amended specification. The deleted text is only in the marked up specification sent by FAX on Aug 14.
- The specification has been amended where necessary to reflect the deletion of two embodiments.
- I am also enclosing the amended claims showing the amendments. As there is only one embodiment left, correlation of the claims should not be a problem.
- I have amended the drawing sheet number 3/3 to change the sheet number and figure numbers, in view of the deletion of sheet numbers 1/3, 2/3 belonging to the deleted embodiments.

I have already indicated the election of the species of the invention to be examined, earlier in this letter. I am mailing the clean version of the specification. All the other documents have been faxed.

I request an early response by mail as to whether my actions above are as per rules and if there is any other obstacle for the examination to proceed.

Yours sincerely,



B.Gopinath.

Enclosures :

Amendment to claims at the end of specification.	} 12 pages
Clean text of the specification with amendments.	
Amended drawing sheet 3/3 which is now 1/1.	- 1 sheet.